Pred. Appl'n. No.: 09/939,470 Pred. Filing Date: August 24, 2001

REMARKS

The claims are 23-65, with claims 23, 52 and 54-58 being independent. Claims 1-22 are being cancelled without prejudice or disclaimer. Support for claims 23-65 may be found throughout the specification. For example, support for claims 23-29 may be found in original claims 1-12 and in the specification at page 3, line 19 to page 4, line 4. Support for claims 30-37 may be found in the specification at page 6, lines 11-29. Support for claim 38 may be found in the specification at page 6, lines 13-19. Support for claims 39-42 may be found in the specification at page 2, lines 13-18. Support for claims 43-48 may be found in the specification at page 3, lines 28-35. Support for claims 49-51 may be found in the specification at page 6, lines 13-14 and line 24 to page 7, line 12. Support for claims 52-53 may be found in the specification at page 2, lines 2-11 and original claims 1-12. Support for claims 54-58 may be found in the specification at page 5, lines 35-38, at page 6, line 24 to page 7, line 12. Support for claims 59-64 may be found in the specification at page 3, lines 28-35. Further support for claims 46 and 63 may be found in the specification at page 4, lines 5-10. No matter has been added.

For the avoidance of doubt, Applicants note that, as set forth in the specification, "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione" (or "Compound (I)") may exist in one of several tautomeric forms, as individual tautomeric forms or as mixtures thereof, all of which are encompassed by the term "Compound (I)" or "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione". Furthermore, 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione contains a chiral atom, and therefore can exist in up to two stereoisomeric forms. The term "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione" (or "Compound (I)") also encompasses all of these isomeric forms, whether as individual isomers or as mixtures of isomers, including racemates. See the specification at page 4, lines 11-15. Accordingly, when reference is made to "Compound (I)", or to "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione", or to "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, or a tautomer thereof", or to "said 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione", all tautomeric and isomeric forms of the compound are intended to be encompassed.

Pred. Appl'n. No.: 09/939,470 Pred. Filing Date: August 24, 2001

Additionally for the avoidance of doubt, as set forth in the specification, when reference is made to scalar amounts, including mg amounts and % weight amounts, of "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione in a pharmaceutically acceptable form" (or as in the claims: "said 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione in a pharmaceutically acceptable form"), the scalar amount referred to is made in respect of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione per se: for example, 2 mg of Compound (I), or 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, in the form of the maleate salt is that amount of maleate salt which contains 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione (not: 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione maleate salt). See the specification, page 5, lines 3-7.

Favorable consideration and early passage to issue of the subject application is respectfully requested.

Respectfully submitted,

Kathryn L. Sieburth Attorney for Applicants

Registration No. 40,072

GLAXOSMITHKLINE Corporate Intellectual Property-UW2220 P.O. Box 1539 King of Prussia, PA 19406-0939 Phone: (610) 270-5012

Facsimile: (610) 270-5090

N:\kls\cases\p32088c2\p32088c2 Response 09-10-03.doc